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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
) CC Docket No. 94-102
Revision of the Commission's Rules) RM-8143
to Ensure Compatibility With Enhanced)
911 Emergency Calling Systems)

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COMMENTS OF AT&T WIRELESS SERVICES, INC.

AT&T Wireless Services, Inc. ("AT&T Wireless") herewith submits its reply to the supplemental comments filed in this docket in response to the *Consensus Agreement* drafted by the Cellular Telecommunications Industry Association ("CTIA"), the Association of Public Safety Communications Officers, Inc. ("APCO"), the National Emergency Number Association ("NENA") and the National Association of State Nine One One Administrators ("NASNA").¹ As discussed below, AT&T Wireless broadly supports the principles and goals of the *Consensus Agreement*. AT&T Wireless also specifically supports implementation of Automatic Number Identification ("ANI") and Automatic Location Information ("ALI") systems under the two phase process set forth in the *Consensus Agreement*. Furthermore, AT&T Wireless believes that the E911 requirements set forth in the *Consensus Agreement* should be universally applicable to all wide area commercial mobile radio service ("CMRS") networks, that carriers should be exempted from liability for E911 implementation to the same degree as landline carriers, and that initial funding for capital improvements needed to

¹See Commission Seeks Additional Comment in Wireless Enhanced 911 Rulemaking Proceeding Regarding "Consensus Agreement" Between Wireless Industry Representatives and Public Safety Groups, *Public Notice*, DA 96-198 (Feb. 16, 1996).

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implement E911 should not be borne by subscribers. These points are each discussed briefly below.

The initial comments in this proceeding nearly universally support the *Consensus Agreement* as a major advance in reaching an implementation plan for E911 that recognizes the needs of the wireless industry and public safety community alike.² E911 technology has the potential for greatly facilitating the efforts of local public safety organizations in their efforts to save lives and property. Accordingly, the implementation of E911 technology for wireless systems must be viewed as a priority for carriers and the Commission.

AT&T Wireless supports, to the extent technically feasible, the implementation of ANI and ALI technology in a two phase process under the general deadlines set forth in the *Consensus Agreement*. As noted by many commenters, a two phase process, unlike the originally proposed three phase process, will avoid stranded investment in network infrastructure while providing measurable progress towards full E911 functionality.³ AT&T Wireless recognizes, however, that PCIA and other commenters have expressed concern that ANI and ALI technology, E911 network interfaces, and public safety answering point upgrades may not be available, tested, and implemented with sufficient timeliness to meet the

²Comment of BellSouth Corporation ("BellSouth") at 2; Comments of Motorola, Inc. ("Motorola") at 3; Comments of Nextel Communications, Inc. ("Nextel") at 4; Comments of Northern Telecom, Inc. ("Nortel") at 1; Comments of the Personal Communications Industry Association ("PCIA") at 3-5; Comments of Southwestern Bell Mobile Systems, Inc. ("SWBM") at 1; Comments of U S West, Inc. ("U S West") at 1, 3; Comments of Vanguard Cellular Systems, Inc. ("Vanguard") at 1, 3-5.

³Motorola at 6; Nextel at 3; Nortel at 3; PCIA at 5-7; Vanguard at 3-4.

schedule set forth in the *Consensus Agreement*.⁴ Under the circumstances, subject to technical feasibility, AT&T Wireless supports E911 implementation under the schedule outlined in the *Consensus Agreement*.

AT&T Wireless also believes that E911 implementation should be universally implemented by all wide area CMRS systems, including cellular, PCS, and ESMR networks.⁵ The tremendous life-saving benefits of E911 technologies should be available to all wireless subscribers, regardless of which radio system they elect to utilize. AT&T Wireless accordingly urges the Commission to extend E911 requirements to all wide area CMRS operations.

Although the *Consensus Agreement* comments briefly on the legal liability of carriers in connection with deployment of E911, AT&T Wireless and others believe this issue must be comprehensively addressed by the Commission.⁶ Specifically, AT&T Wireless believes the Commission should act to shield wireless carriers to the same degree as landline telephone companies for E911 services. While landline carriers are able to limit their liability for E911 services by tariff provisions, wireless services have been detariffed by legislation and federal practice. Under the circumstances, some means for protecting wireless carriers from legal liability for E911 operations is critical.

⁴Comments of the Ad Hoc Rural Cellular Coalition ("AHRCC") at 3; BellSouth at 4-7; Motorola at 4-8; Nortel at 3-6; PCIA at 9-12; Comments of the Rural Cellular Association at 2; SWBM at 3-6; Vanguard at 7; U S West at 3-8.

⁵Comments of the American Mobile Telecommunications Association, Inc. at 5; PCIA at 3-4.

⁶AHRCC at 7-8; BellSouth at 8-9; PCIA at 7-8; SWBM at 7-9; U S West at 9-10; Vanguard at 5..

As a final matter, AT&T Wireless and others urge the Commission to limit the financial burden imposed on subscribers for E911 implementation.⁷ In particular, while wireless subscribers can bear the operating costs of E911 systems, these customers should not be required to fund capital costs for equipment upgrades for E911. Instead, the Commission should require reasonable initial capital deployment costs to be borne by state and local governments.

In sum, AT&T Wireless supports the *Consensus Agreement* drafted by CTIA, NENA, APCO, and NASNA. The two phase implementation process, subject to necessary caveats regarding the availability of suitable technical solutions, should be adopted by the Commission and expressly made applicable to all wide area CMRS providers. The Commission should also limit the liability of carriers for E911 services and ensure that funding is available from state and local governments for reasonable initial costs of implementing E911 technology.

Respectfully submitted,

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⁷SWBM at 6-7; Vanguard at 4-5.

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